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LOUIS CAMPBELL BOYD

JANUARY 28 (legislative day, JANUARY 10), 1952.—Ordered to be printed

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Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3569]

The Committee on the Judiciary, to which was referred the bill (H. R. 3569) for the relief of Louis Campbell Boyd, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to provide for the admission into the United States of a minor child who has been adopted by a United States citizen serviceman and his wife. The child would be considered to be a nonquota immigrant, which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is an orphan child who was born on October 16, 1950, at Frankfurt on the Main, Germany. He has been adopted by Sgt. and Mrs. Cecil H. Boyd, who are citizens of the United States.

Congressman Otto E. Passman, the author of the bill, submitted to the chairman of a subcommittee of the Committee on the Judiciary of the House of Representatives the following letter in connection with the case:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 27, 1951.

Hon. FRANCIS E. WALTER,
Chairman, Immigration Subcommittee,
House Judiciary Committee,
House Office Building, Washington, D. C.

MY DEAR COLLEAGUE: This will supplement our previous correspondence relative to the bill (H. R. 3569) which I introduced on April 5, 1951, for the relief of Louis Campbell Boyd, infant adopted son of Sgt. and Mrs. Cecil H. Boyd, who are currently stationed in Germany.

Pursuant to the suggestions contained in your letter of June 29, 1951, I requested Sergeant Boyd to send information which would be of value in considering this legislation without a departmental report. The material has now reached me and is attached hereto for your information and possible use. Incidentally, Sergeant Boyd under date of August 7, 1951, sent detailed information to the Immigration and Naturalization Service, Washington, for use in the departmental report. Advice received today from the Immigration Service indicates that the departmental report has not been completed and it was impossible to ascertain just when action would be completed on the report.

Due to the fact that Sergeant Boyd is scheduled to return to the United States soon, it would be sincerely appreciated if every effort consistent with your policies be made in the consideration of this legislation.

With kindest regards and best wishes, I remain

Sincerely yours,

OTTO E. PASSMAN,
Member of Congress.

Correspondence between Sergeant Boyd and the Immigration and Naturalization Service referred to in Congressman Passman's letter reads as follows:

HEADQUARTERS NINETY-SEVENTH GENERAL HOSPITAL,
EUROPEAN COMMAND,
APO 757, United States Army, August 7, 1951.

JAMES E. RILEY,
Acting Assistant Commissioner, Enforcement Division, United States Department of Justice, Immigration and Naturalization Service, Washington 25, D. C.

DEAR SIR: Reference your letter dated July 27, 1951, and letter from Mr. Otto E. Passman, Member of Congress, dated July 2, 1951, of which I am enclosing a copy with information requested.

1. Copy of letter from the American consular office, explaining why Louis Campbell Boyd is not eligible for entry into the United States on a nonquota basis.

2. The adoption decree is not final at this date but will be completed in approximately 2 weeks. It has been processed through the German Adoption Board and is now in the hands of the military authorities. European Command. I have been assured that it will be approved and on completion will forward a copy to you.

3. Enclosed is a latter from the chaplain, recommending the proposed adoption. He wrote a letter of recommendation to the German Adoption Board when we applied for the baby. Also enclosed is a certified true copy of letter of recommendation from the adjutant who acts in the capacity of the commanding officer.

4. Virginia W. Boyd, nee White, born October 2, 1914, at Monterey, La. Louis C. Boyd (Alexander W. Steinberger), born October 16, 1950, at Frankfurt on the Main, Germany.

5. Occupation of my wife: Housewife. Residence, 52 Heidenfeld, Heddernheim, Frankfurt, Germany.

6. I was born April 10, 1909, in Pike County, Miss.

7. The persons listed below are well acquainted with me: Brenhan C. Carruthers, Louisiana State Senator, Ferriday, La.; Eugene W. Vogt, Ferriday, La.; J. H. Love, Sr., sheriff, Concordia Parish, La.; Victor P. Campbell, clerk of court, Vidalia, La.; Jessie L. McGhee, Harrisonburg, La., judge.

Reason for delay in complying with Mr. Passman's letter was due to the fact that the adoption decree was not final.

I sincerely appreciate the cooperation from your office and hope that this information is sufficient.

Sincerely yours,

CECIL H. BOYD.

JULY 27, 1951.

Sgt. C. BOYD 7000890,
Ninety-seventh General Hospital,
APO 757, care of Postmaster, New York, N. Y.

DEAR MR. BOYD: This service has been requested to submit a report with respect to private bill H. R. 3569, introduced in the House of Representatives, for the relief of your child, Louis Campbell Boyd.

Before submitting a report on this bill, it is necessary for this service to conduct certain investigations with respect to you, your wife, and child. Accordingly, it is requested that you advise as soon as possible, as to date and place of birth of your wife and child, occupation and place of residence of your wife. It is also requested that you advise as to your date and place of birth, and the names and addresses of persons in the United States who are well acquainted with you.

Upon receipt of the above-requested information the necessary investigations will be conducted and a report submitted on the bill as soon as possible.

Sincerely,

JAMES E. RILEY,
Acting Assistant Commissioner, Enforcement Division.

The following letter, dated July 13, 1951, to Sergeant Boyd from the American vice consul, Frankfort on the Main, with reference to the ineligibility of the beneficiary of the bill for processing under the Displaced Persons Act reads as follows:

FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Frankfort on the Main, July 13, 1951.

Master Sgt. CECIL H. BOYD,
Ninety-seventh General Hospital.
APO 757, care of Postmaster, New York, N. Y.

DEAR SIR: The consulate general regrets to inform you that your adopted son, Louis C. Boyd, formerly known as Alexander W. Steinberger, born October 16, 1950, at Frankfort on the Main, Germany, is not eligible to receive consideration for a special nonquota immigration visa to the United States under section 2 (f) of the Displaced Persons Act of 1948, as amended, inasmuch as one of the provisions of that act stipulates that the orphan child must have been a resident of one of several countries, including Germany prior to June 30, 1950, and Louis was not born until October 16, 1950. Therefore he is, unfortunately, not entitled to any preference or priority under current immigration laws and regulations, and the only possible way to facilitate his entry into the United States would be for Congress to enact a private bill for his relief. Otherwise he will have to wait his turn on the waiting list of intending immigrants in the nonpreference category under the German quota and, due to his late date of registration, namely January 11, 1951, it is not possible at this time to predict when his turn will be reached.

You may rest assured that the consulate general is according your adopted son every consideration consistent with existing immigration laws and regulations.

Very truly yours,

JAMES P. PARKER,
American Vice Consul
(For the Consul General).

In addition, Congressman Passman submitted the following information concerning Sergeant and Mrs. Boyd:

NINETY-SEVENTH GENERAL HOSPITAL,
OFFICE OF THE CHAPLAIN,
EUROPEAN COMMAND,
APO 757, United States Army, July 17, 1951.

To Whom It May Concern:

It was my privilege to recommend Sgt. and Mrs. Cecil H. Boyd as qualified parents some 6 months ago. I have observed, with interest, the love and care this child has received from the Boyds during this period.

I am able to highly recommend any proposed action that would make sure that the child be permitted to return to the United States with the Boyds.

REX S. KENDALL,
Chaplain (Major) United States Army.

HEADQUARTERS, NINETY-SEVENTH GENERAL HOSPITAL,
EUROPEAN COMMAND,
APO 757, United States Army, June 1, 1950.

Subject: Recommendation for promotion.
To: Commanding Officer, Detachment Medical Department, Ninety-seventh General Hospital, APO 757, United States Army.

1. Sfc Cecil H. Boyd, Detachment Medical Department, assistant sergeant major of this general hospital (MOS 0502), is recommended for promotion to the grade of master sergeant (E-7).

2. The following data relative to Sergeant First Class Boyd is submitted:
(*a*) Name: Boyd, Cecil H.
(*b*) Grade: Sergeant first class.
(*c*) ASN: RA-7000890.
(*d*) Date of rank: October 19, 1948.
(*e*) Total service: 8 years.
(*f*) Primary MOS: 0502.

3. Sergeant Boyd is well qualified to be promoted to the next higher grade, having previously held the grade of master sergeant (MOS 0502) as sergeant major of Trippler General Hospital during his World War II service. His service to this organization has been most valuable, and at times indispensable, during the past 2½ years. During this period he has served either as assistant sergeant major or sergeant major this general hospital. Sergeant Boyd is well qualified in practically all phases of administration of this headquarters and capably and frequently performs administrative functions that would normally require the services of a commissioned officer. In recognition of this noncommissioned officer's performance of duty, attention is invited to the enclosed extract which appeared in the EUCOM Medical Bulletin for the month of May 1950. This type of duty performance is still being performed by this noncommissioned officer.

4. It is the unreserved opinion of the recommending officer that Sergeant Boyd is, by experience and technical qualifications, the best qualified sergeant first class of this organization eligible for promotion to master sergeant (grade E-7).

CHARLES GLASCOCK,
Captain, Medical Service Corps,
Adjutant.

[First endorsement]

From: Commanding Officer, Detachment Medical Department, APO 757, United States Army.
To: Commanding Officer, Ninety-seventh General Hospital, APO 757, United States Army.

1. Recommend approval.

2. Sergeant First Class Boyd is considered the best qualified noncommissioned officer eligible for promotion for the next highest grade (master sergeant, grade E-7).

FOREST A. CHEVES,
First Lieutenant, Medical Service Corps,
Commanding.

[Second endorsement]

JUNE 14, 1951.

From: Headquarters, Ninety-seventh General Hospital, APO 757, United States Army.
To: Chief surgeon, Medical Division, Hq EUCOM, APO 403, United States Army.

1. Recommend that subject enlisted man be promoted to the grade of master sergeant (E-7).

2. Enlisted man concerned is considered the best qualified noncommissioned officer of this organization eligible for promotion to the grade of master sergeant.

J. R. DARNALL,
Colonel, Medical Corps,
Commanding.

A certified true copy:

ROY M. DALEY,
Warrant Officer, Junior Grade, United States Army,
Assistant Adjutant.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3569) should be enacted.

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